

REMARKS

Reconsideration and allowance of the captioned application in view of the foregoing amendments and the remarks that follow is respectfully requested. These comments are intended to advance the case to issue without delay. The claims in the application were 1-15. By this amendment, claims 4, 5, 10 and 11 are cancelled. Accordingly, the claims now in the application are claims 1-3, 6-9 and 11-15.

Claims 1, 2, 6, 7, 8 and 13-15 have been rejected under 35 USC §102(b) as being anticipated by UK Patent Application 2066309. It is respectfully submitted that this rejection has been obviated by the above amendments and the arguments which follow.

In the Office Action UK Patent Application 2066309 ("UK '309") is said to disclose the claimed device as claimed in claims 1, 2, 6, 7, 8 and 13-15. UK '309 discloses a conditioning article for use in a moving drum laundry machine. The article has among other components a magnetized material for magnetically engaging the article to the interior of the dryer.

The claims of the present invention as amended require that the device is attached to the interior surface of the tumble dryer door or back wall by way of an adhesive. The UK '309 reference clearly teaches away from such an embodiment as evident by the stated objectives of the UK '309 disclosure (see UK '309 page 2, lines 13-20). The UK '309 disclosure has the objective "to provide such an article wherein any necessity for the use of external means whatever, and typified by adhesive... is eliminated". Accordingly, the UK '309 reference clearly does not disclose each and every element of the claims of the present invention as amended and in fact teaches away from the claims of the present invention as amended. Thus, withdrawal of this rejection is respectfully requested.

Claims 1-4, 6 and 12-14 have been rejected under 35 USC §102(b) as being anticipated by Furgal US Patent No. 4,053,992 ("US '992"). It is respectfully submitted that this rejection has been obviated by the above amendments and the arguments which follow.

In the Office Action the US '992 reference is said to disclose the claimed device as claimed in claims 1-4, 6 and 12-14. US '992 discloses a device for conditioning laundry articles where the device is attached to the tumble dryer door.

The claims of the present invention as amended require that the device have sufficient fabric treatment composition to be used for multiple drying cycles so that the device can simply be left in the dryer for multiple drying cycles without the need for the user to change the device or reload the device with conditioning composition. The device disclosed in US '992 requires the user to recharge or reload the device after each use. While extra composition may remain in the device after a single use, this remaining composition is just extra composition and is not sufficient fabric treatment composition to be used for multiple drying cycles so that the device can simply be left in the dryer for multiple drying cycles without the need for the user to change the device or reload the device with conditioning composition as is required by the claims of the present invention as amended. Thus, withdrawal of this rejection is respectfully requested.

Claims 7-10 and 15 have been rejected under 35 USC §102(b) as being anticipated by Furgal US Patent No. 3,634,947 ("US '947"). It is respectfully submitted that this rejection has been obviated by the following arguments.

In the Office Action the US '947 reference is said to disclose the claimed device as claimed in claims 7-10 and 15. US '947 discloses a device for conditioning laundry articles.

The claims of the present invention as amended require that the device is attached to the interior surface of the tumble dryer door or back wall. The US '947


reference lacks any teaching of attaching the device to the interior surface of the tumble dryer door or back wall. The Examiner refers to 49 in Figure 3 of US '947 as providing this teaching, but 49 is merely an adhesive. This does not provide the teaching to attach the device to the interior surface of the tumble dryer door or back wall. In fact, US '947 specifically teaches to attach the device to a drum wall. Accordingly, the US '947 reference clearly does not disclose each and every element of the claims of the present invention as amended. Thus, withdrawal of this rejection is respectfully requested.

Claims 4 and 10 have been rejected under 35 USC §103(a) as being unpatentable over UK '309. Additionally, claim 5 has been rejected under 35 USC §103(a) as being unpatentable over US '992 and claim 11 has been rejected under 35 USC §103(a) as being unpatentable over US '947. It is respectfully submitted that these rejections under 35 USC §103(a) are moot in view of the cancellation of claims 4, 5, 10 and 11 in this amendment. Applicant reserves the right to pursue these claims at a later time. Accordingly, withdrawal of these rejections under 35 USC §103(a) are respectfully requested.

In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, Applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kevin J. Stein", is written over a horizontal line.

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